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October 2, 2020

By ECF

The Honorable Katherine Polk Failla  
United States District Court Judge for the  
Southern District of New York  
Thurgood Marshall United States Courthouse  
40 Foley Square  
New York, NY 10007

**MEMO ENDORSED**

*Pacific Life Ins. Co. v. The Bank of New York Mellon*, 17-cv-1388-KPF  
**Subject: Sealing Request Regarding Plaintiffs' Omnibus Motion  
and Motion in Limine to Exclude Opinions and Testimony of  
Defendant's Experts**

Dear Judge Failla:

Pursuant to Rule 9 of your Individual Practices, Plaintiffs Pacific Life Insurance Co., and Pacific Life & Annuity Co. request permission to redact portions of the documents attached as Exhibits 4 and 7 (the "Redacted Exhibits") to the Declaration of Ryan A. Kane in Support of Plaintiffs' Omnibus Motion and Motion in Limine to Exclude Opinions and Testimony of Defendant's Experts. The redacted portions of these documents have been designated as "Confidential" by BNYM under the Protective Order in this case [ECF No. 72], and BNYM has requested that we file them under seal. As required by Rule 9(B), we filed under seal unredacted copies of the Redacted Exhibits. We are also emailing Chambers unredacted clean copies of the Redacted Exhibits as well as copies highlighting the information that has been redacted.

The redacted portions of the Redacted Exhibits do not contain information concerning Plaintiffs and Plaintiffs take no position on the confidentiality of those redacted portions. Plaintiffs are seeking permission to seal at the request of BNYM and to comply with the Protective Order. BNYM consents to the sealing request.

Respectfully submitted,

/s/ Ryan A. Kane

Ryan A. Kane

Application GRANTED. Plaintiffs may redact portions of Exhibits 4 and 7 to the Declaration of Ryan A. Kane, and may file under seal unredacted copies of those exhibits. The sealed copies shall be viewable to the Court and parties only.

SO ORDERED.

Dated: October 5, 2020  
New York, New York



HON. KATHERINE POLK FAILLA  
UNITED STATES DISTRICT JUDGE